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Attorney(s) for Plaintiff Rothschild Broadcast Distribution Systems, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**ROTHSCHILD BROADCAST
DISTRIBUTION SYSTEMS, LLC,**

Plaintiff,

v.

**DRIVE HEADQUARTERS, INC.
d/b/a CAMERAFTP,**

Defendant.

CASE NO. 4:21-cv-01121

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

Plaintiff Rothschild Broadcast Distribution Systems, LLC (“Plaintiff” or “Rothschild Broadcast Distribution Systems”) files this complaint against Drive Headquarters, Inc. d/b/a CameraFTP (“CameraFTP”) for infringement of U.S. Patent No. 8,856,221 (hereinafter the “221 Patent”) and alleges as follows:

PARTIES

1. Plaintiff is a Texas limited liability company with an office at 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

1 2. On information and belief, Defendant is a California corporation, with a
2 place of business at 2551 San Ramon Valley Blvd., Ste. 213, San Ramon, CA 94583.
3 On information and belief, Defendant may be served through its agent, Wenbing Zhang,
4 1428 Allanmere Dr., San Ramon CA 94582.
5

6 **JURISDICTION AND VENUE**

7 3. This action arises under the patent laws of the United States, 35 U.S.C. §
8 271 et seq. Plaintiff is seeking damages, as well as attorney fees and costs.
9

10 4. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal
11 Question) and 1338(a) (Patents).
12

13 5. On information and belief, this Court has personal jurisdiction over
14 Defendant because Defendant has committed, and continues to commit, acts of
15 infringement in this District, has conducted business in this District, and/or has engaged
16 in continuous and systematic activities in this District.
17

18 6. Upon information and belief, Defendant's instrumentalities that are
19 alleged herein to infringe were and continue to be used, imported, offered for sale,
20 and/or sold in the District.
21

22 7. Venue is proper in this District under 28 U.S.C. §1400(b) because
23 Defendant is deemed to be a resident in this District. Alternatively, acts of infringement
24 are occurring in this District and Defendant has a regular and established place of
25 business in this District.
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BACKGROUND

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2 8. On October 7, 2014, the United States Patent and Trademark Office
3 (“USPTO”) duly and legally issued the ‘221 Patent, entitled “System and Method for
4 Storing Broadcast Content in a Cloud-Based Computing Environment” after the
5 USPTO completed a full and fair examination. The ‘221 Patent is attached as Exhibit
6
7 A.

8
9 9. Rothschild Broadcast Distribution Systems is currently the owner of the
10 ‘221 Patent.

11 10. Rothschild Broadcast Distribution Systems possesses all rights of
12 recovery under the ‘221 Patent, including the exclusive right to recover for past, present
13 and future infringement.
14

15 11. The ‘221 Patent contains thirteen claims including two independent claims
16 (claims 1 and 7) and eleven dependent claims.
17

COUNT ONE

(Infringement of United States Patent No. 8,856,221)

18
19
20 12. Plaintiff refers to and incorporates the allegations in Paragraphs 1 - 11, the
21 same as if set forth herein.
22

23 13. This cause of action arises under the patent laws of the United States and,
24 in particular under 35 U.S.C. §§ 271, *et seq.*
25

26 14. Defendant has knowledge of its infringement of the ‘221 Patent, at least
27 as of the service of the present complaint.
28

1 15. The '221 Patent teaches a method and apparatus for media content storage
2 and delivery. '221 Patent, Abstract. Among other things, the claimed system includes
3 a server, which has a receiver in communication with a processor. *Id.* The receiver
4 receives a request message. *Id.* The request message includes media data indicating
5 requested media content and a consumer device identifier corresponding to a consumer
6 device. *Id.* The processor determines whether the consumer device identifier
7 corresponds to a registered consumer device. *Id.* If the processor determines that the
8 consumer device identifier corresponds to the registered consumer device, then the
9 processor determines whether the request message is one of a storage request message
10 and a content request message. *Id.* If the request message is the storage request message,
11 then the processor is further configured to determine whether the requested media
12 content is available for storage. *Id.* If the request message is the content request
13 message, then the processor initiates delivery of the requested media content to the
14 consumer device. *Id.*

15 16. The present invention solves problems that existed with then-existing
16 media delivery systems. One problem with prior delivery systems is that the customer
17 was charged according to the expenses of the provider rather than the usage of the
18 customer. '221 Patent, 1:31-57. Customers were not charged based on the amount of
19 programming delivered or the amount or duration of the customer's storage of media.
20 *Id.* Another such problem, more generally, is that customers were not billed and
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1 services were not provided, in a way that was tailored to the customer's needs and
2 usage. *Id.*, 2:3-13.

3 17. A number of aspects of the invention(s) embodied in the '221 Patent
4 overcome the problems with the prior art. For example, the inventive system includes
5 a processor in communication with a receiver. *Id.*, 2:23-34. The processor determines
6 media content characteristics that correspond to the media content to be stored. *Id.* The
7 processor determines a length of time to store the media content based on the media
8 data and determines a cost amount based at least in part on the determined media
9 content characteristics and length of time to store the media content. *Id.* As another
10 example, the system makes a determination that media content is available for
11 download. *Id.*, 2:64-3:2. A determination is made that content is not stored. Download
12 of the media content is initiated. *Id.* The media content is received and the received
13 media content is stored. *Id.*

14 18. The '221 Patent is directed to computerized technologies to provide users
15 with tailored media delivery systems and tailored billing for such systems. Among other
16 things, the '221 Patent claims include sending and receiving of request messages
17 indicating requested media content and including a device identifier corresponding to
18 a consumer device. A determination is made whether the identifier corresponds to the
19 device. A determination is also made as to whether the request is for delivery or
20 storage. The media data in the request includes time data that indicates a length of time
21 for storage. A processor is configured to determine whether requested media exists and
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1 whether there are any restrictions associated with delivery or storage of the requested
2 media.

3 19. The system(s) and methods of the '221 Patent include software and
4 hardware that do not operate in a conventional manner. For example, the software is
5 tailored to provide functionality to perform recited steps and the processor is configured
6 (and/or programmed) to provide functionality recited throughout the claims of the '221
7 Patent.
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10 20. The '221 Patent solves problems with the art that are rooted in computer
11 technology and that are associated with electronic transmission, loading, and storage of
12 location information, as well as automatic provisioning of route guidance. The '221
13 Patent claims do not merely recite the performance of some business practice known
14 from the pre-Internet world along with the requirement to perform it on the Internet.
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16
17 21. The improvements of the '221 Patent and the features recited in the claims
18 in the '221 Patent provide improvements to conventional hardware and software
19 systems and methods. The improvements render the claimed invention of the '221
20 Patent non-generic in view of conventional components.
21

22 22. The improvements of the '221 Patent and the features recitations in the
23 claims of the '221 Patent are not those that would be well-understood, routine or
24 conventional to one of ordinary skill in the art at the time of the invention.
25

26 23. Upon information and belief, Defendant has infringed and continues to
27 infringe one or more claims, including at least Claim 7, of the '221 Patent by making,
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1 using, importing, selling, and/or offering for media content storage and delivery
2 systems and services covered by one or more claims of the '221 Patent.

3 24. Accordingly, Defendant has infringed, and continues to infringe, the '221
4 Patent in violation of 35 U.S.C. § 271.

6 25. Defendant sells, offers to sell, and/or uses media content storage and
7 delivery systems and services, including, without limitation, the CameraFTP video
8 recording security platform, including any associated apps, software and/or hardware,
9 and any similar products ("Product"), which infringes at least Claim 7 of the '221
10 Patent.
11

12 26. The Product practices a method of storing (e.g., cloud storage) media
13 content (e.g., video recording) and delivering requested media content (streaming
14 video) to a consumer device (e.g., mobile device with app). Certain aspects of these
15 elements are illustrated in the screenshots below and/or in those provided in connection
16 with other allegations herein.
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Use Smartphone/tablet as IP Security Camera

You can use a smartphone or tablet as a cloud based IP security camera. Just install [CameraFTP Mobile Security Camera app](#), which is available for iOS and Android devices.

- [The advantages of using phone/tablet as IP camera](#)
- [Mobile Security Camera Apps for Android and iOS](#)
- [Download Camera Footage](#)
- [View Recorded Footage with CameraFTP Viewer](#)
- [More details about CameraFTP service and pricing](#)



Use smartphone/tablet as IP security camera

Source: <https://www.cameraftp.com/CameraFTP/Features/UsePhoneAsIPCamera.aspx>

CameraFTP Software and APPs:

- Mobile Security Camera APPs: Use smart phone, tablet or webcam as security camera.
- Mobile CameraFTP Viewer APPs: View or play back the scene on iPhone, iPad, Android & Windows from anywhere.
- Virtual Security System Software: Use your PC/laptop as a cloud CCTV / DVR security system.

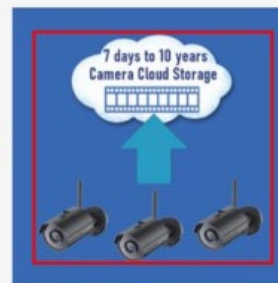


Source: <https://www.cameraftp.com/cameraftp/software/download.aspx>

Cloud Storage & Surveillance Service for IP Cameras

CameraFTP offers optimized cloud storage for IP security cameras and DVRs. You don't need to worry about the storage space, and you never need to delete old footage manually. You just need to order a service plan and configure your camera(s) based on your service plan.

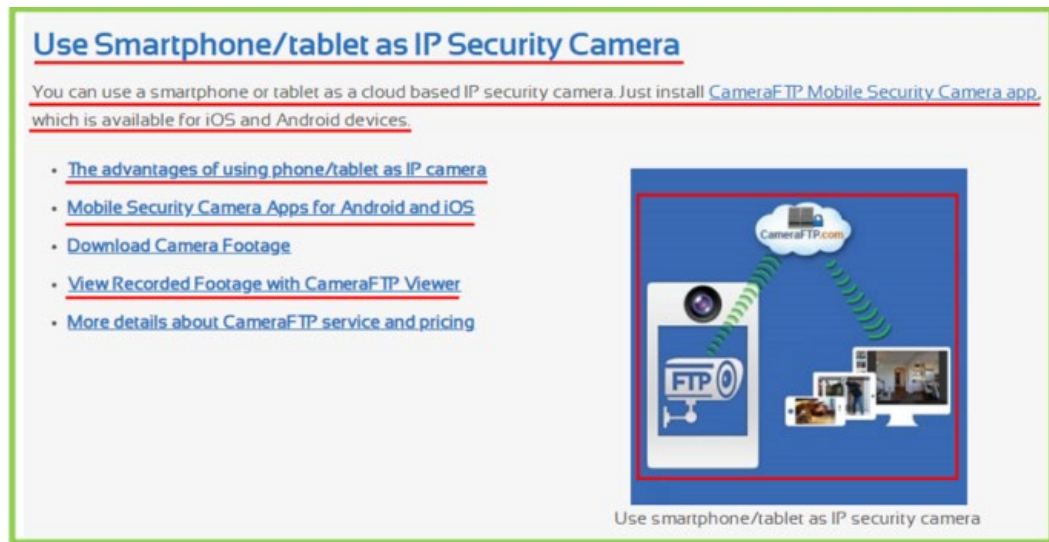
- [IP Camera cloud storage advantages](#)
- [Configure IP cameras to upload footage to the Cloud](#)
- [Download Camera Footage](#)
- [View live cameras or play back the recorded footage](#)
- [More details about CameraFTP cloud storage service and pricing](#)



IP camera cloud storage

Source: <https://www.cameraftp.com/CameraFTP/Features/IPCameraCloudStorage.aspx>

27. The Product necessarily includes a receiver configured to receive a request message including data indicating requested media content (e.g., the Product must have infrastructure to receive a request to store recorded media content or to stream recorded media content on a smartphone; additionally, the request message must contain data that identifies the content to be stored or streamed) and a consumer device identifier corresponding to a consumer device (e.g., the user credentials are used to access the contents of the Product). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: <https://www.cameraftp.com/CameraFTP/Features/UsePhoneAsIPCamera.aspx>



Source: https://www.cameraftp.com/cameraftp/software/Download_Mobile_Security_Camera_for_iOS.aspx

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- [IP Camera cloud storage advantages](#)
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- [More details about CameraFTP cloud storage service and pricing](#)



IP camera cloud storage

Source: <https://www.cameraftp.com/CameraFTP/Features/IPCameraCloudStorage.aspx>

Security cameras / DVRs are NOT secure themselves

- They can be easily stolen or destroyed. For example, a burglar may break into your store and steal valuable goods. If he steals the camera/DVR, the recorded footage will also be lost.
- Using CameraFTP service, cameras automatically record footage to our cloud server in a secure and remote data center. Burglars can never delete the recorded data in the cloud!

Source: <https://www.cameraftp.com/CameraFTP/Support/Support.aspx>

Please Log On

User Name:

Password:

Logon

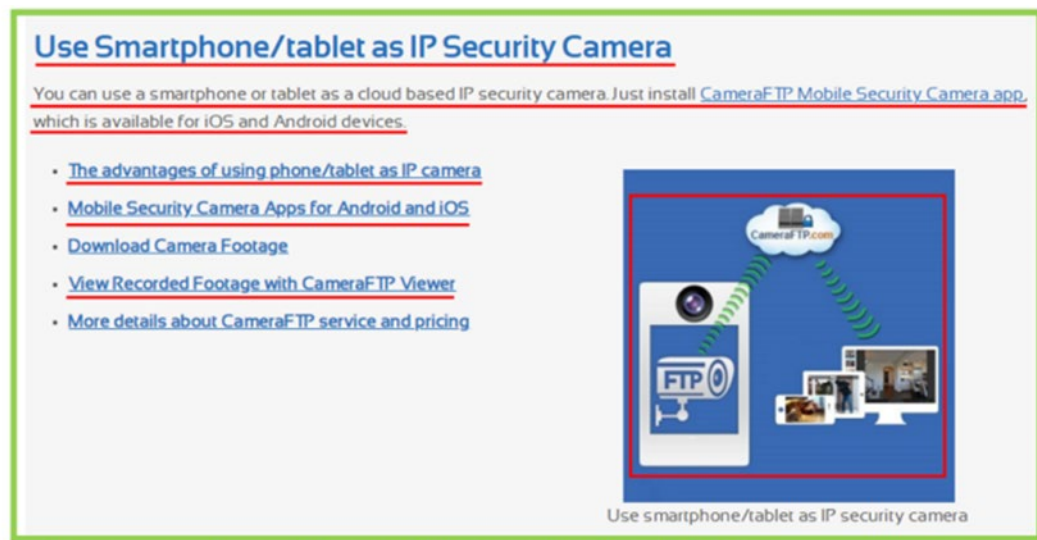
[Forgot password](#)

Source: <https://www.cameraftp.com/Secure/Logon.aspx>

28. The Product necessarily determines whether the consumer device identifier corresponds to the registered consumer device (e.g., a user must be a registered user to access the Product's services). Certain aspects of these elements are

illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

29. The Product provides for both media downloads and/or storage, and media streaming. After a successful login, the Product necessarily determines whether the request received from a customer is a request for storage (e.g., recording or storing content) or content (e.g., streaming of media content). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: <https://www.cameraftp.com/CameraFTP/Features/UsePhoneAsIPCamera.aspx>



Source: <https://www.cameraftp.com/Secure/Logon.aspx>

Cloud Storage & Surveillance Service for IP Cameras

CameraFTP offers optimized cloud storage for IP security cameras and DVRs. You don't need to worry about the storage space, and you never need to delete old footage manually. You just need to order a service plan and configure your camera(s) based on your service plan.

- IP Camera cloud storage advantages
- Configure IP cameras to upload footage to the Cloud
- Download Camera Footage
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Source: <https://www.cameraftp.com/CameraFTP/Features/IPCameraCloudStorage.aspx>

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- Using CameraFTP service, cameras automatically record footage to our cloud server in a secure and remote data center. Burglars can never delete the recorded data in the cloud!

Source: <https://www.cameraftp.com/CameraFTP/Support/Support.aspx>

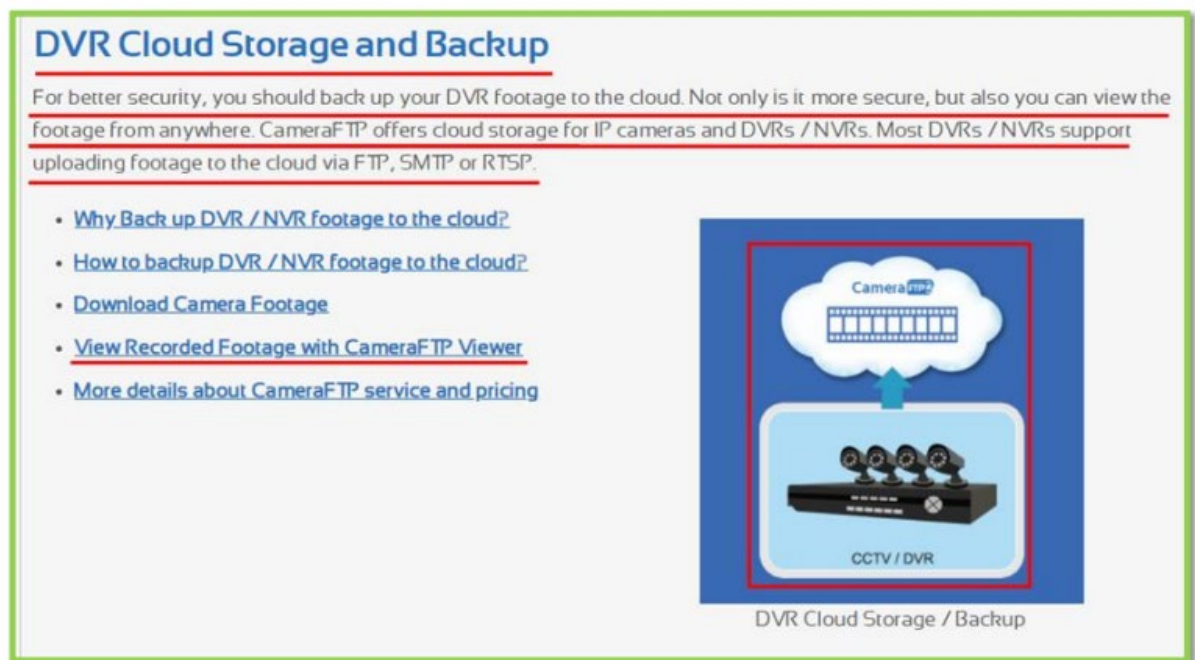
IP Camera cloud storage advantages

- More secure. Even if your camera is destroyed, the footage will be safe in the cloud.
- "Unlimited storage space" as long as your camera is configured based on your plan.
- Never need to delete old footage manually.
- From 7 days to 10 years of retention time.
- Can view camera(s) online from anywhere using web browser or CameraFTP Viewer.

Source: <https://www.cameraftp.com/CameraFTP/Features/IPCameraCloudStorage.aspx>

30. The Product verifies that media content identified in the media data of the storage request message (e.g., request to record content) is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage. The Product must verify that the media content (e.g. specific

recording) identified in the media data of the storage request message is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage (e.g., the product must verify a user's ability to store media content is limited to a certain amount of time). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: https://www.cameraftp.com/CameraFTP/Features/DVR_Cloud_Storage_Backup.aspx

31. If a customer requests content (e.g., live streaming of media content), then a processor within the Product necessarily initiates delivery of the content to the customer's device. The Product will initiate delivery of the requested media content to the consumer device (e.g., stream media content feed to a smartphone or tablet etc.) if the request message is a content request message (e.g., request for live streaming). Certain aspects of these elements are illustrated in the screen shots below and/or in

screen shots provided in connection with other allegations herein.

IP Camera cloud storage advantages

- More secure. Even if your camera is destroyed, the footage will be safe in the cloud.
- "Unlimited storage space" as long as your camera is configured based on your plan.
- Never need to delete old footage manually.
- From 7 days to 10 years of retention time.
- Can view camera(s) online from anywhere using web browser or CameraFTP Viewer.

Source: <https://www.cameraftp.com/CameraFTP/Features/IPCameraCloudStorage.aspx>

Why Back up DVR / NVR footage to the cloud

- An intruder can destroy or steal your DVR/NVR. If you don't backup data to the cloud, you will lose all footage.
- Without storing footage in the cloud, it is hard to view / play back the recorded footage.
- CameraFTP can support 1 week to 10 years of retention.
- With a DVR/NVR, you cannot share different cameras with different people.

Source: https://www.cameraftp.com/CameraFTP/Features/DVR_Cloud_Storage_Backup.aspx

32. The media data includes date and time information to identify conference start and stop times, as well as meeting length. Time data may also indicate a length of time to store the requested media content (e.g. a user is allowed to store media content for a retention period configured by the user per their subscription level). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

Cloud Storage & Surveillance Service for IP Cameras

CameraFTP offers optimized cloud storage for IP security cameras and DVRs. You don't need to worry about the storage space, and you never need to delete old footage manually. You just need to order a service plan and configure your camera(s) based on your service plan.

- IP Camera cloud storage advantages
- Configure IP cameras to upload footage to the Cloud
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IP camera cloud storage

Source: <https://www.cameraftp.com/CameraFTP/Features/IPCameraCloudStorage.aspx>

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- More secure. Even if your camera is destroyed, the footage will be safe in the cloud.
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- Can view camera(s) online from anywhere using web browser or CameraFTP Viewer.

Source: <https://www.cameraftp.com/CameraFTP/Features/IPCameraCloudStorage.aspx>

CameraFTP Mobile Security Camera APP for iOS - use iPhone/iPad as IP security camera

CameraFTP Mobile Security Camera is NOT a standalone app, it is part of CameraFTP's Home & Business Security service.

The APP can make your smartphone or tablet a cloud-based IP security camera. It can record and upload the footage to CameraFTP cloud storage. You can view / play back the recorded footage on any device from anywhere, anytime.

It is much easier than real IP cameras / DVRs. If you have an old or un-used iPhone/iPad, then the "camera" cost will be 0. This is particularly useful if you want to start the security service immediately, or if you just want to test the service. For long term security / surveillance needs, we recommend using a real IP camera / DVR or webcam.

Source: https://www.cameraftp.com/cameraftp/software/Download_Mobile_Security_Camera_for_iOS.aspx

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- With a DVR/NVR, you cannot share different cameras with different people.

Source: https://www.cameraftp.com/CameraFTP/Features/DVR_Cloud_Storage_Backup.aspx

1 33. The Product must first determine whether the requested media content
2 exists prior to initiating delivery in order to prevent data errors that would result from
3 attempting to transmit media content that does not exist (e.g., the product must verify
4 that a particular requested data is stored in the cloud). Certain aspects of these elements
5 are illustrated in the screenshots below and/or in those provided in connection with
6 other allegations herein.
7

8 34. After the processor determines whether the requested media content is
9 available, it determines whether there are restrictions associated with the requested
10 media content (e.g., user access restrictions, etc.). Certain aspects of these elements are
11 illustrated in the screenshots provided in connection with other allegations herein.
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Home Security

Protect your home & family; monitor kids/pets; live video streaming, playback & motion alerts.

Business Security

Remotely monitor offices / shops with multiple cameras; back up DVR / camera footage to the cloud!

Publish Your Cameras

Publish cameras on your web page; share cameras with the world; live streaming & broadcasting.

Source : <https://www.cameraftp.com/>

Why Back up DVR / NVR footage to the cloud

- An intruder can destroy or steal your DVR/NVR. If you don't backup data to the cloud, you will lose all footage.
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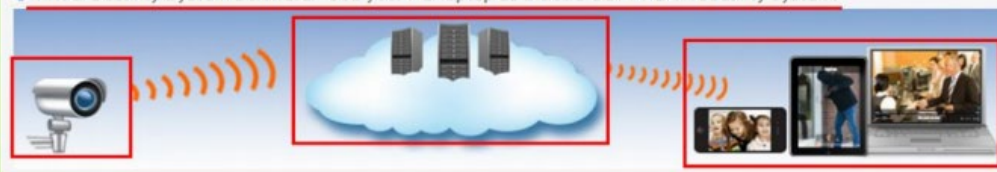
The APP can make your smartphone or tablet a cloud-based IP security camera. It can record and upload the footage to CameraFTP cloud storage. You can view / play back the recorded footage on any device from anywhere, anytime.

It is much easier than real IP cameras / DVRs. If you have an old or un-used iPhone/iPad, then the "camera" cost will be 0. This is particularly useful if you want to start the security service immediately, or if you just want to test the service. For long term security / surveillance needs, we recommend using a real IP camera / DVR or webcam.

Source: https://www.cameraftp.com/cameraftp/software/Download_Mobile_Security_Camera_for_iOS.aspx

CameraFTP Software and APPs:

- Mobile Security Camera APPs: Use smart phone, tablet or webcam as security camera.
- Mobile CameraFTP Viewer APPs: View or play back the scene on iPhone, iPad, Android & Windows from anywhere.
- Virtual Security System Software: Use your PC/laptop as a cloud CCTV / DVR security system.



Source: <https://www.cameraftp.com/cameraftp/software/download.aspx>

1 35. Defendant's actions complained of herein will continue unless Defendant
2 is enjoined by this Court.

3 36. Defendant's actions complained of herein is causing irreparable harm and
4 monetary damage to Plaintiff and will continue to do so unless and until Defendant is
5 enjoined and restrained by this Court.

6 37. The '221 Patent is valid, enforceable, and was duly issued in full
7 compliance with Title 35 of the United States Code.

8 38. A copy of the '221 Patent, titled "System and Method for Storing
9 Broadcast Content in a Cloud-based Computing Environment," is attached hereto as
10 Exhibit A.

11 39. By engaging in the conduct described herein, Defendant has injured
12 Plaintiff and is liable for infringement of the '221 Patent, pursuant to 35 U.S.C. § 271.

13 40. Defendant has committed these acts of literal infringement, or infringement
14 under the doctrine of equivalents of the '221 Patent, without license or authorization.

15 41. As a result of Defendant's infringement of the '221 Patent, injured Plaintiff
16 has suffered monetary damages and is entitled to a monetary judgment in an amount
17 adequate to compensate for Defendant's past infringement, together with interests and
18 costs.

19 42. Plaintiff is in compliance with 35 U.S.C. § 287.
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1 43. As such, Plaintiff is entitled to compensation for any continuing and/or
2 future infringement of the '221 Patent up until the date that Defendant ceases its
3 infringing activities.
4

5 **DEMAND FOR JURY TRIAL**

6 44. Rothschild Broadcast Distribution Systems, under Rule 38 of the Federal
7 Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.
8

9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff asks the Court to:

11 (a) Enter judgment for Plaintiff on this Complaint on all cases of action
12 asserted herein;
13

14 (b) Enter an Order enjoining Defendant, its agents, officers, servants,
15 employees, attorneys, and all persons in active concert or participation with Defendant
16 who receives notice of the order from further infringement of United States Patent No.
17 8,856,221 (or, in the alternative, awarding Plaintiff running royalty from the time
18 judgment going forward);
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20 (c) Award Plaintiff damages resulting from Defendants infringement in
21 accordance with 35 U.S.C. § 284;
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1 (d) Award Plaintiff such further relief to which the Court finds Plaintiff
2 entitled under law or equity.
3

4 Dated: February 15, 2021

Respectfully submitted,

6 /s/ Stephen M. Lobbin

Stephen M. Lobbin

7 sml@smlavvocati.com

8 SML AVVOCATI P.C.

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9 San Diego, California 92037

10 (949) 636-1391 (Phone)

11 ***Attorney(s) for Plaintiff Rothschild Broadcast***
12 ***Distributions Systems, LLC***
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